

COMMITTEE REPORT

MADAM PRESIDENT:

The Senate Committee on Health and Provider Services, to which was referred Senate Bill No. 113, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill be AMENDED as follows:

- 1 Page 5, delete line 14.
- 2 Page 5, line 15, delete "(3)" and insert **"(2)"**.
- 3 Page 5, line 16, delete "(4)" and insert **"(3)"**.
- 4 Page 5, line 17, delete "(5)" and insert **"(4)"**.
- 5 Page 5, line 18, delete "(6)" and insert **"(5)"**.
- 6 Page 5, delete lines 19 through 20.
- 7 Page 5, line 21, delete "(d)" and insert **"(c)"**.
- 8 Page 5, line 24, delete "drugs, including a medication that has been"
- 9 and insert **"drugs that meet the requirements set forth in**
- 10 **IC 25-26-13-25(i)"**.
- 11 Page 5, line 25, delete "returned under IC 25-26-13-25(i),".
- 12 Page 5, delete line 29.
- 13 Page 5, line 30, delete "(3)" and insert **"(2)"**.
- 14 Page 5, line 31, delete "(4)" and insert **"(3)"**.
- 15 Page 5, line 32, delete "(5)" and insert **"(4)"**.
- 16 Page 5, line 33, delete "(6)" and insert **"(5)"**.
- 17 Page 5, line 34, delete "(7)" and insert **"(6)"**.
- 18 Page 5, line 39, delete "schedule II drug listed in IC 35-48-2-6" and
- 19 insert **"controlled drug"**.

1 Page 5, line 41, after "5." insert "(a)".

2 Page 6, between lines 3 and 4, begin a new paragraph and insert:

3 **"(b) An individual who is eligible to participate in:**

4 **(1) the state Medicaid program under IC 12-15; or**

5 **(2) a program that:**

6 **(A) provides a prescription drug benefit; and**

7 **(B) is funded in whole or in part by state funds;**

8 **is not eligible to receive a drug donated under the voluntary**
 9 **regional drug repository program organized under section 3 of this**
 10 **chapter.".**

11 Page 6, line 5, delete "person, other than a drug manufacturer," and
 12 insert **"person"**.

13 Page 6, line 14, delete "bad faith or".

14 Page 6, line 14, after "a" insert **"prescription"**.

15 Page 6, line 15, delete "is not liable for a claim or an injury, civil or"
 16 and insert **"shall not be subject to criminal or civil liability for**
 17 **injury, death, or loss to person or property arising from the**
 18 **donation, acceptance, dispensing, or transfer of a prescription**
 19 **drug that is manufactured by the prescription drug manufacturer**
 20 **and donated by a person under this chapter. This section includes**
 21 **immunity for a prescription drug manufacturer from liability for:**

22 **(1) the failure to store, transfer, or maintain a prescription**
 23 **drug;**

24 **(2) the failure to transfer or communicate product or**
 25 **consumer prescription drug information; or**

26 **(3) the failure to convey the expiration date of the**
 27 **prescription drug;**

28 **after the drug is donated under this chapter.".**

- 1 Page 6, delete lines 16 through 17.
 (Reference is to SB 113 as introduced.)

and when so amended that said bill do pass.

Committee Vote: Yeas 10, Nays 0.

Miller

Chairperson